

Promotion of Access to Information Act (“PAIA”) manual

10X Investments (Pty) Ltd (“10X”)

(including all subsidiaries of 10X namely, 10X Fund Managers (RF) (Pty) Ltd, CoreSolutions Fund Managers (RF) (Pty) Ltd and CoreShares Asset Management (Pty) Ltd and Retirement Funds administered by 10X.

1. Introduction and background

The Promotion of Access to Information Act, No. 2 of 2000 (“PAIA”) came into operation on 9 March 2001 to give effect to the constitutional right, held by everyone in South Africa, of access to information which is held by the State or another person and which is required for the exercise or protection of any right.

The motivation for giving effect to the right of access to information is to foster a culture of transparency and accountability in both public and private bodies, and to promote a society in which the people of South Africa have effective access to information to enable them to fully exercise and protect all their rights.

2. About 10X Investments

10X, FSP number 25280 is an authorised financial service provider in terms of the Financial Advisory and Intermediary Services Act, 2002 (“FAIS Act”) and an approved administrator of pension funds in terms of the Pension Fund Act, 24 of 1956 (“PFA”). 10X Fund Managers (RF) (Pty) Ltd and CoreSolutions Fund Managers (RF) (Pty) Ltd are both authorised as collective investment schemes managers in terms of the Collective Investment Schemes Control Act, 2002 (“CISCA”).

10X provides administrative and investment management services, primarily to Retirement Funds established under the PFA and retail clients via discretionary savings products in the Unit Trusts and Exchange Traded Funds that it manages. For purposes of PAIA 10X is defined as a private body.

3. Purposes of this manual

This manual is prepared in terms of section 51 of the PAIA and is designed to facilitate requests by any person for access to information that is held by 10X in accordance with PAIA and that is required for the exercise or protection of any right.

4. Right of access to 10X records

- 4.1. 10X will give a requester access to any of its records if: -
 - 4.1.1. that record is required for the exercise or protection of any rights;

- 4.1.2. that person complies with the procedural requirements in the manual relating to a request for access to those records; and
 - 4.1.3. access to that record is not refused in terms of any ground for refusal contemplated in Part 3 Chapter 4 of the PAIA.
- 4.2. If the requester is a public body as defined in the PAIA, the request for access must be for the exercise or protection of any rights other than its rights and must be in the public interest.
- 4.3. A request contemplated in paragraph 4.1 above includes a request for access to a record containing personal information about the requester or the person on whose behalf the request is made.

5. Key contact details for access to information queries

10X will deal with all requests relating to any of the entities as set out in this manual and PAIA read together with the Protection of Personal Information Act, 4 of 2013 (POPIA). All requests for information in terms of this manual must be directed to the Information Officer, whose contact details are as follows:

Name and surname:	Mandla Hendricks
Physical address:	4 th Floor, Grindrod Tower, 8a Protea Place, Sandton, 2145
Telephone number:	+27 11 459 1895
Email address:	compliance@10x.co.za

6. Guide on how to use PAIA

- 6.1. The Information Regulator has, in terms of section 10(1) of PAIA, updated and made available a revised Guide on how to use PAIA ("Guide"), in an easily comprehensible form and manner, as may reasonably be required by a person who wishes to exercise any right contemplated in PAIA and POPIA.
- 6.2. The Guide is available in all the South African official languages and in braille.
- 6.3. The aforementioned Guide contains a description of:
 - 6.3.1. the objects of PAIA and POPIA;
 - 6.3.2. the relevant contact details of each public and private body (where applicable),

- 6.3.3. the manner and form of a request for access to records of a public body as contemplated in section 11 of PAIA and of a private body as contemplated in section 50 of PAIA;
 - 6.3.4. assistance available from the Information Officer and the Information Regulator in terms of PAIA and POPIA;
 - 6.3.5. all remedies available to you regarding and act or failure to act in respect of a right or duty conferred or imposed by PAIA and/or POPIA, including the manner of lodging;
 - 6.3.5.1. An internal appeal;
 - 6.3.5.2. A complaint to the Information Regulator;
 - 6.3.5.3. An application with a court against a decision by the Information Officer of a public body, a decision on internal appeal or a decision by the Information Regulator or a decision of the head of a private body.
 - 6.3.6. how to obtain access to the manual of a private body; and
 - 6.3.7. details regarding the prescribed fees payable in respect of requests for information. See Annexure “B”.
- 6.4. The Guide can be obtained: -
- 6.4.1. Upon request to the Information Officer; or
 - 6.4.2. From the website of the Information regulator (www.inforegulator.or.za)

7. Types of records available

7.1 Records available in terms of other legislation

10X keeps records and information in terms of the following legislation:

- Protection of Personal Information Act 4 of 2013;
- Companies Act 71 of 2008;
- Financial Advisory and Intermediary Services Act 37 of 2002;
- Collective Investment Schemes Control Act 45 of 2002;
- Employment Equity Act 55 of 1998;
- Unemployment Insurance Act 63 of 2001;
- Basic Conditions of Employment Act 75 of 1997;
- Compensation for Occupational Injuries and Diseases Act 130 of 1993;

- Labour Relations Act 66 of 1995;
- Financial Intelligence Centre Act 38 of 2001;
- Pension Funds Act 24 of 1956;
- Foreign Account Compliance Act;
- Insolvency Act 24 of 1939;
- Income Tax Act 58 of 1962;
- Securities Services Act 36 of 2004;
- Value-added Tax Act 89 of 1991;
- Electronic Communications and Transactions Act 25 of 2002;
- Inspection of Financial Institutions Act 80 of 1998;
- Prevention and Combating of Corrupt Activities Act 12 of 2004;
- Prevention of Organised Crime Act 121 of 1998;
- Protection of Constitutional Democracy Against Terrorist and Related Activities Act 33 of 2004;
- Trade Marks Act 194 of 1993;

7.2 Records available without requesting access in terms of PAIA.

The following records are available to the public without having to request for access:

- Information relating to our products and services on the 10X website;
- The general terms and conditions of the retirement funds that we manage;
- Public facing policies and notices;
- PAIA manual; and
- FSP licenses.

7.3 Records available on request to 10X

The following categories of records are available for purposes of PAIA, subject to the grounds for refusal to the access thereof.

**Please note that recording the category of records in this Manual does not guarantee that access to such records will be granted. The below is not a closed list.*

8. Grounds for refusal

10X may legitimately refuse to grant you access to a requested record (if the information does not hide a substantial breach of the law, or a public safety or environmental risk) that falls within any of the following grounds for refusal:

- We are protecting personal information that we hold about third persons (who is a natural person), including a deceased person, from unreasonable disclosure;
- We are protecting commercial information that we hold about a third party (e.g., trade secrets, financial, commercial, scientific, or technical information where disclosures may harm the commercial or financial interests of that third party);
- The disclosure of the record would result in breach in a duty of confidence owed to a third party in terms of an agreement;
- The disclosure of a record would endanger the life or physical safety of an individual;
- the disclosure of the record would prejudice or impair the protection of a person in accordance with a witness protection scheme;
- the disclosure of the record would prejudice or impair the protection of the safety of the public;
- the record is privileged from production in legal proceedings, and the person entitled to legal privilege has not waived the privilege;
- the disclosure of the record (where the record contains trade secrets, financial, commercial, scientific, or technical information) would harm our commercial or financial interests;
- the disclosure of the record would put us at a disadvantage in contractual or other negotiations or prejudice us in commercial competition;
- the record is a computer programme; and
- the disclosure of the record (where the record contains information about research being carried out or to be carried out by or on behalf of us or a third party) would expose us, the third party, the person carrying out the research or the subject matter of the research itself to a serious disadvantage;
- records that cannot be found or do not exist.

9. Process of requesting access to records

- 9.1. A request shall be made on the prescribed form. A copy of the form is attached to this manual as Annexure "A". The form is also available for download on the website of the Information Regulator, to download the form [\[click here\]](#).
- 9.2. The prescribed form must be submitted to the Information Officer at his address or email.

- 9.3. If a request is made on behalf of another person, proof of the capacity in which the requester is making the request must be submitted in addition to and simultaneously with the prescribed form.
- 9.4. The Information Officer, as soon as reasonably possible and within 30 (thirty) days after having received the request, shall decide whether or not to grant the request for access.
- 9.5. The requester will be notified of the decision of the Information Officer in the manner indicated by the requester in the prescribed form.
- 9.6. If the request is granted, the requester shall be informed by the Information Officer in the manner indicated by the requester in the prescribed form.
- 9.7. Notwithstanding the foregoing, 10X will advise the requester in the manner stipulated by the requester in the prescribed form of: -
 - 9.7.1. the access fee to be paid for the information in accordance with paragraph 11;
 - 9.7.2. the format in which access will be given; and
 - 9.7.3. the fact that the requester may lodge an appeal with a court of competent jurisdiction against the access fee charged or the format in which access is to be granted.
- 9.8. After access is granted, actual access to the record requested will be given as soon as reasonably possible.
- 9.9. if the request for access is refused, the Information Officer shall advise the requester in writing of the refusal. The notice of refusal shall state:
 - 9.9.1. adequate reasons for the refusal;
 - 9.9.2. that the requester may lodge an appeal with a court of competent jurisdiction against the request (including the period) for lodging such an appeal.
- 9.10. Upon the refusal by the Information Officer, the deposit paid by the requester will be refunded.
- 9.11. If the Information Officer fails to respond within 30 (thirty) days after a request has been received, it is deemed, in terms of section 58 read together with section 56(1) of PAIA, that the Information Officer has refused the request.
- 9.12. The Information officer may decide to extend the period of 30 (thirty) days ["original period"] for another period of not more than 30 (thirty) days if:
 - 9.12.1. the request is for a large number of records;
 - 9.12.2. the search for the records is to be conducted at premises not situated in the same town or city as the Information Officer;
 - 9.12.3. consultation among divisions or departments, as the case may be, of the company is required;

- 9.12.4. The requester consents to such an extension in writing; and
- 9.12.5. the parties agree in any other manner to such an extension.
- 9.13. Should the company require an extension of time, the requester shall be informed in the manner stipulated in the prescribed form of the reasons for the extension.
- 9.14. The requester may lodge an appeal with a court of competent jurisdiction against any extension or against any procedure set out in this section.

10. Records that cannot be found or do not exist

- 10.1. If all reasonable steps have been taken to find a record, and such record cannot be found or if the record does not exist, the Information officer shall notify the requester, by way of an affidavit or affirmation, that it is not possible to give access to the requested record.
- 10.2. the affidavit or affirmation shall provide a full account of all the steps taken to find the record or to determine the existence thereof, including details of all communications by the Information Officer with every person who conducted the search.
- 10.3. The notice, as set out in 10.1, shall be regarded as a decision to refuse a request for access to the record concerned for the purposes of the Act.
- 10.4. If the record in question should later be found, the requester shall be given access to the record in the manner stipulated by the requester in the prescribed form unless access is refused by the Information Officer.
- 10.5. The attention of the requester is drawn to the provisions of Chapter 4 of Part 3 of PAIA in terms of which the company may refuse, on certain specified grounds, to provide information to a requester.

11. Fees payable

The fees for reproduction of a record as referred to in section 52(3) of PAIA are detailed in annexure “B” (The Fee Schedule).

12. Availability of manual

Any person may gain access to this manual on the 10X website (www.10x.co.za) or alternatively a copy can be made available on request by any interested party.

13. Updating of manual

10X may update this manual annually or at such intervals as may be necessary.

ANNEXURE A

FORM 2: REQUEST FOR ACCESS TO RECORD

Note

1. Proof of identity must be attached by the requester.
2. If requests made on behalf of another person, proof of such authorisation, must be attached to this form.

To: The Information Officer

_____ (Address)

Email address: _____

Fax number: _____

Mark with an "X"

Request is made in my own name

Request is made on behalf of another person.

Personal information

Full names

Identity number

Capacity in which
request is made
(when made on
behalf of another
person)

Postal address

Street address

Email address

Contact numbers

Tel. (B):

Facsimile:

Cellular:

Full names of
person on whose
behalf request is
made (if applicable)

Identity number

Postal address

Street address

Email address

Contact numbers

Tel. (B):

Facsimile

Cellular:

Particulars of record requested

Provide full particulars of the record to which access is requested, including the reference number if that is known to you, to enable the record to be located. (If the provided space is inadequate, please continue on a separate page and attach it to this form. All additional pages must be signed.)

Description of
record or relevant
part of the record:

Reference number,
if available

Any further
particulars of record

Type of record

(Mark the applicable box with an "X")

Record is in written or printed form

Record comprises virtual images (this includes photographs, slides, video recordings, computer-generated images, sketches, etc)	<input type="checkbox"/>
Record consists of recorded words or information which can be reproduced in sound	<input type="checkbox"/>
Record is held on a computer or in an electronic, or machine-readable form	<input type="checkbox"/>

Form of access

(Mark the applicable box with an "X")

Printed copy of record (including copies of any virtual images, transcriptions and information held on computer or in an electronic or machine-readable form)	<input type="checkbox"/>
Written or printed transcription of virtual images (this includes photographs, slides, video recordings, computer-generated images, sketches, etc)	<input type="checkbox"/>
Transcription of soundtrack (written or printed document)	<input type="checkbox"/>
Copy of record on flash drive (including virtual images and soundtracks)	<input type="checkbox"/>
Copy of record on compact disc drive(including virtual images and soundtracks)	<input type="checkbox"/>
Copy of record saved on cloud storage server	<input type="checkbox"/>

Manner of access

(Mark the applicable box with an "X")

Personal inspection of record at registered address of public/private body (including listening to recorded words, information which can be reproduced in sound, or information held on computer or in an electronic or machine-readable form)	<input type="checkbox"/>
Postal services to postal address	<input type="checkbox"/>
Postal services to street address	<input type="checkbox"/>
Courier service to street address	<input type="checkbox"/>
Facsimile of information in written or printed format (including transcriptions)	<input type="checkbox"/>
E-mail of information (including soundtracks if possible)	<input type="checkbox"/>
Cloud share/file transfer	<input type="checkbox"/>
Preferred language (Note that if the record is not available in the language you prefer, access may be granted in the language in which the record is available)	<input type="checkbox"/>

Particulars of right to be exercised or protected

If the provided space is inadequate, please continue on a separate page and attach it to this Form. The requester must sign all the additional pages.

Indicate which right is to be exercised or protected

Explain why the record requested is required for the exercise or protection of the aforementioned right:

Fees

- a) A request fee must be paid before the request will be considered.
- b) You will be notified of the amount of the access fee to be paid.
- c) The fee payable for access to a record depends on the form in which access is required and the reasonable time required to search for and prepare a record.
- d) If you qualify for exemption of the payment of any fee, please state the reason for exemption

Reason:

You will be notified in writing whether your request has been approved or denied and if approved the costs relating to your request, if any. Please indicate your preferred manner of correspondence:

Postal address

Facsimile

Electronic communication (Please specify)

Signed at _____ this _____ day of _____ 20 _____

Signature of Requester / person on whose behalf request is made

For official use

Reference number:

Request received by:

(State Rank, Name
and Surname of
Information Officer)

Date received:

Access fees:

Deposit (if any):

Signature of Information Officer

ANNEXURE B

FORM 3: OUTCOME OF REQUEST AND OF FEES PAYABLE

Note

1. If your request is granted the—
 - (a) amount of the deposit, (if any), is payable before your request is processed; and
 - (b) requested record/portion of the record will only be released once proof of full payment is received.
2. Please use the reference number hereunder in all future correspondence.

Reference number: _____

To:

_____ Reference number: _____

Your request dated _____ refers.

1. You requested:

Personal inspection of information at registered address of public/private body (including listening to recorded words, information which can be reproduced in sound, or information held on computer or in an electronic or machine-readable form) is free of charge. You are required to make an appointment for the inspection of the information and to bring this Form with you. If you then require any form of reproduction of the information, you will be liable for the fees prescribed in Annexure B.

2. You requested:

Printed copies of the information (*including copies of any virtual images, transcriptions and information held on computer or in an electronic or machine-readable form*)

Written or printed transcription of virtual images (this includes photographs, slides, video recordings, computer-generated images, sketches, etc)

Transcription of soundtrack (written or printed document)

Copy of information on flash drive (including virtual images and soundtracks)

Copy of information on compact disc drive (including virtual images and soundtracks)

Copy of record saved on cloud storage server

3. To be submitted:

Postal services to postal address

Postal services to street address

Courier services to street address

Facsimile of information in written or printed format (including transcriptions)

E-mail of information (including soundtracks if possible)

Cloud share/file transfer

Preferred language:

(Note that if the record is not available in the language you prefer, access may be granted in the language in which the record is available)

Kindly note that your request has been:

Approved

Denied, for the following reasons:

4. Fees payable with regards to your request:

Item	Cost per A4-size page or part thereof/item	Number of pages/items	Total
Photocopy			
Printed copy			
For a copy in a computer-readable form on:			
i Flash drive			
- To be provided by requestor	R40.00		
Compact disc			
- if provided by requestor	R40.00		
- if provided to the requestor	R60.00		

For a transcription of visual images per A4-size page	Service to be outsourced. Will depend on the quotation of the service provider
Copy of visual images	
Transcription of an audio record, per A4-size	R24.00
Copy of an audio record	
I. Flash drive	
- To be provided by requestor	R40.00
II. Compact disc	
- if provided by requestor	R40.00
- if provided to the requestor	R60.00
Postage, email or any other electronic transfer:	Actual costs
Total:	

5. Deposit payable (if search exceeds six hours):

Yes No

Hours of search	Amount of deposit (calculated on one third of total amount per request)
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The amount must be paid into the following bank account:

Name of bank:

Name of account holder:

Type of account:

Account number

Branch code:

Reference No:

Submit proof of payment to:

Signed at _____ this _____ day of _____ 20 _____

Information Officer